



THE SCHOOL DISTRICT OF LEE COUNTY

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May 26, 2004

Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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JAMES W. BROWDER, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

RE: WT Docket No. 03-66

For over 17 years the School District of Lee County has used Instructional Television Fixed Service ("ITFS") channels in the 2.5 GHz band to transmit instructional programming to our students in Lee County School District schools. The Station's signal reaches all 68 school sites and into every classroom in the county, and the WBE805 channels are used solely by the school system to transmit educational programming, primarily in-class instruction for grades K through 12 of 62,246 students. The School Board operates its ITV system from 7:30 A.M. to 4:30 P.M. each school day, and utilizes evening operation for specialized programs (such as FCAT preparation), and also broadcasts live telecasts of School Board meetings twice per month.

The Station offers students and teachers access to over 600 ITV series, including more than 8,000 individual programs and is utilized at a 99% capacity during instructional hours. The elementary school ITV programming made available by the Station features titles such as *Math Vantage*, *Amazing Art Adventure*, *Reading Rainbow*, *Great Native American Leaders*, *Our Presidents in American History*, *Animals and Us*, *Weather Classroom* and *NASA Connect*. More advanced material is provided over WBE805 for junior and senior high school students in subjects ranging from biology to history, geography to chemistry, and algebra to economics. These offerings include programs such as *Art of Western World*, *Math Monsters*, *Meet the Author*, *Music Factory*, *Nature*, *Bill of Rights*, *Careers in Technology*, *Earth Science Essentials*, *Economics USA*, *Our Federal Government*, *Physical Science and You*, *Research for Writers* and *Great Composers*. Station WBE805 also features "Lee TV Newswrap," a monthly program designed to educate students about current events involving local government and "School Talk" a weekly talk show that addresses current educational topics. In addition, students and teachers are informed of new series and titles as they become available on a monthly basis in an electronic newsletter and via web page notifications. The ITV department also assists teachers in utilizing its educational programs in connection with the Florida Department of Education's Sunshine State Standards and posts those correlations for the instructors in the district.

We understand that a proposal from the Wireless Bureau is being circulated for rushed FCC consideration that would eliminate the eligibility restrictions on ITFS spectrum, and would reduce the amount of spectrum held by each ITFS licensee in order to accommodate new commercial users in the band. This proposal is seriously flawed.

DISTRICT VISION

TO PREPARE EVERY STUDENT FOR SUCCESS

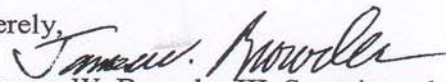
DISTRICT MISSION

TO PROVIDE A QUALITY EDUCATION IN A SAFE AND WELL-MANAGED ENVIRONMENT

ITFS is the **only** spectrum specifically allocated to support formal education. This vital educational asset must be protected, as the FCC promised to do just three years ago. As the FCC updates the technical rules for ITFS to more effectively support a range of new broadband services, **we urge you to reject misguided proposals to allow any ITFS spectrum to be licensed to commercial entities, or to reduce in any respect the total amount of spectrum allocated to ITFS.** If necessary, you must delay consideration of the proposal to a later meeting, so that our concerns can be heard.

The possibilities for future development of educational services in the ITFS band are exciting, and we plan to use the spectrum as fully in the years ahead as we have in the past. I hope that you will support our efforts to keep this valuable educational resource. Thank you for your consideration of this important matter.

Sincerely,



Dr. James W. Browder III, Superintendent
Lee County School District
Ft. Myers, Florida

cc: Senator Bob Graham
Senator Bill Nelson
Representative Cliff Stearns
Representative Jim Davis
Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Kevin J. Martin
Commissioner Jonathan S. Adelstein
Patrick J. Gossman, Chair ITFS Association
Kim A. Bowman, Director Florida Knowledge Network
Todd Gray, Esquire, Dow Lohnes & Albertson